

MEMORANDUM

March 1, 1973

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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TABLED: 2/22/73

Petition No. Z-2702  
Robert N. & Arline Filetti  
45 Hecla Street  
Dorchester

Petitioner seeks a forbidden use and two variances for a change of occupancy from three to six families in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an R-.8 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	0
Section 17-1. Open space is insufficient.	800 sf/du	187 sf/du

The property, located on Hecla Street between Dorchester Avenue and Adams Street, contains a 2½ story frame structure. The six family occupancy, apparently existing, is excessive, hazardous and overcrowds the dwelling. Four units would be more appropriate and consistent with the residential character of the neighborhood. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-2702, brought by Robert N. & Arline Filetti, 45 Hecla Street, Dorchester, for a forbidden use and two variances for a change of occupancy from three to six families in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial as submitted. The six family occupancy, apparently existing, is excessive, hazardous and overcrowds the structure. Four units would be more appropriate and consistent with the residential character of the neighborhood.





Z-2702  
45 HECLA ST.  
(DOR.)



Board of Appeal Referrals 3/1/73

Hearing Date: 3/20/73

Petition No. Z-2704

Rocco Bombardieri

TABLED: 2/22/73

1576-1580 Dorchester Avenue  
Dorchester

Petitioner seeks an extension of a non-conforming use and a variance for a change of occupancy from a bakery delicatessen and two stores to supermarket - bakery, dry cleaning shop and restaurant; erect a one story retail and loading bay addition in an apartment (H-1) and local business (L-.5) district. The proposal violates the code as follows:

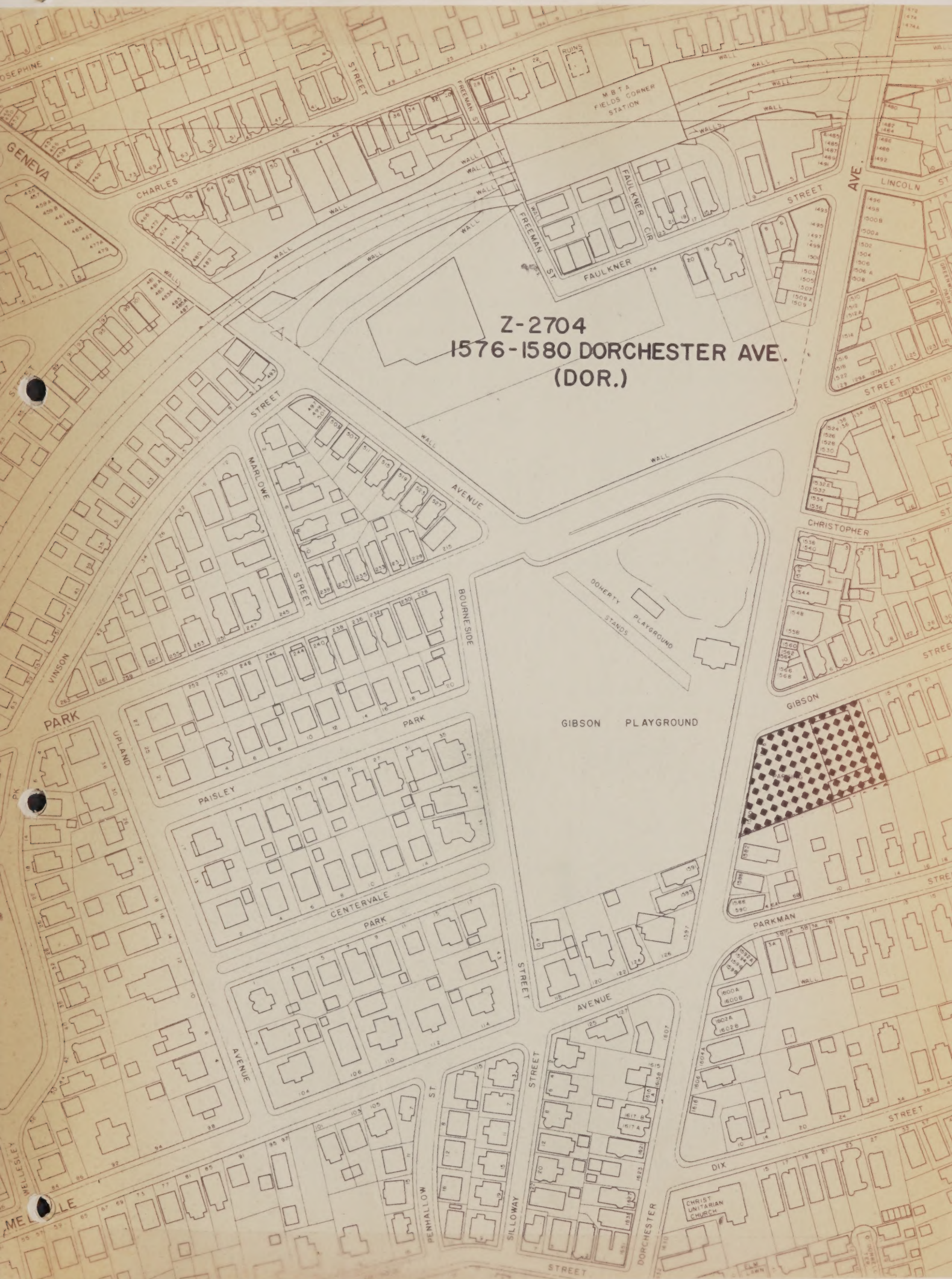
	<u>Req'd</u>	<u>Proposed</u>
Section 9-1. An extension of a non-conforming use requires a Board of Appeal hearing.		
Section 19-1. Side yard is insufficient.	12 ft.	10 ft.

The property, located on Dorchester Avenue at the intersection of Gibson Street, contains a one-story retail complex. Work appears to be completed. Petitioner has installed metal dumpsters for the storage of debris at the rear of the building on Gibson Street immediately abutting a three-family dwelling. This is contrary to a Board of Appeal proviso prohibiting the storage of debris outside of the building. Recommend approval with enforcement of existing Board of Appeal proviso.

VOTED: That in connection with Petition No. Z-2704, brought by Rocco Bombardieri, 1576-1580 Dorchester Avenue, Dorchester, for an extension of a non-conforming use and a variance for a change of occupancy from a bakery delicatessen and two stores to supermarket - bakery, dry cleaning shop and restaurant; erect a one-story addition in an apartment (H-1) and local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided that the existing Board of Appeal proviso with respect to fencing, exterior storage of debris and signs remain in force.



Z-2704  
1576-1580 DORCHESTER AVE.  
(DOR.)





Board of Appeal Referrals 3/1/73

Hearing Date: 3/20/73

TABLED: 2/22/73

Petitions Nos. Z-2706-2708

J & J Realty Trust

Joseph T. Flaherty, Trustee  
30, 32-34, 36-38 Washington  
Street, Charlestown

Petitioner seeks three forbidden uses and eight variances for change of occupancy as listed below in each of three structures in an apartment (H-1) district. The proposal violates the code as follows:

30 Washington Street (two apartments and store to six apartments)	<u>Req'd</u>	<u>Proposed</u>
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Section 8-7.	Any dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an H-1 district.	
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Section 14-1.	Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
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Section 17-1.	Open space is insufficient.	400 sf/du	0
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32-34 Washington Street (six apartments to nine apartments) 36-38 Washington Street (three apartments to six apartments)		
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Section 8-7.	Any dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an H-1 district.	
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Section 14-1.	Lot area for additional dwelling unit is insufficient.	1000 sf/du	0
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Section 17-1.	Open space is insufficient.	400 sf/du	1365 sf/du 122 sf/du
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Section 23-1.	Off street parking is insufficient.	3 spaces 3 spaces	0
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The property, located on Washington Street near the intersection of Rutherford Avenue in the Charlestown Urban Renewal area, contains three vacant frame row dwellings. These buildings, abandoned for several years, would be rehabilitated, restored and would enhance the neighborhood. The site is proximate to public facilities. Recommend approval.

VOTED: That in connection with Petitions Nos. Z-2706-2708, brought by J & J Realty Trust, Joseph T. Flaherty, Trustee, 30, 32-34, 36-38 Washington Street in the Charlestown Urban Renewal Area, for three forbidden uses and eight variances for a change of occupancy in each of three structures, the Boston Redevelopment Authority recommends approval. These abandoned buildings would be rehabilitated, restored and would enhance the neighborhood. The site is proximate to public facilities.



Z-2706-08  
30-38 WASHINGTON ST.  
(CHSN)





Board of Appeal Referrals 3/1/73

Hearing Date: 3/13/73

TABLED: 2/22/73

Petition No. Z-2714  
Berman Realty Trust  
Arthur Berman, Trustee  
299 Gallivan Boulevard &  
2078-2080 Dorchester Avenue  
Dorchester

Petitioner seeks a conditional use and four variances to erect a one-story addition and legalize occupancy for sale of automotive parts and supplies in a local business (L-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. A change in a conditional use requires a Board of Appeal hearing.		
Section 10-1. Accessory storage is excessive.		
Section 15-1. Floor area ratio is excessive.	0.5	0.9
Section 18-1. Front yard is insufficient.	15 ft.	3 ft.
Section 20-1. Rear yard is insufficient.	20 ft.	7 ft.

The property, located at the intersection of Gallivan Boulevard and Dorchester Avenue, contains a one-story structure. There is no objection to the legalization of the existing occupancy for sale of auto parts and supplies. However, the proposed second story addition would have a serious effect on residential properties abutting at the side and rear of the site. Recommend approval of existing occupancy and denial of proposed addition.

VOTED: That in connection with Petition No. Z-2714, brought by Berman Realty Trust, Arthur Berman, Trustee, 299 Gallivan Boulevard and 2078-2080 Dorchester Avenue, Dorchester, for a conditional use and four variances to erect a one story addition and legalize occupancy for sale of automotive parts and supplies in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval of existing occupancy for sale of auto parts and supplies and denial of proposed addition. This expansion would have a serious effect on residential properties abutting at the side and rear of the site.



Z-2714  
299 GALLIVAN BLVD.  
2078-2080 DORCHESTER AVE.  
(DOR.)





Board of Appeal Referrals 3/1/73

Hearing Date: 3/13/73

Petitions Nos. Z-2697-2701  
Estate of James G. Martin  
60-62-69-70 Rockview Street &  
40 Parley Avenue, Jamaica Plain

Petitioner seeks an extension of a non-conforming use, two conditional uses and ten variances to combine lots, erect a two story addition to a nursing home and use premises for off-street parking in residential (R-.5 & R-.8) districts. The proposal violates the code as follows:

60 & 62 Rockview Street

Req'd

Proposed

Section 9-1. An extension of a non-conforming use requires a Board of Appeal hearing.

70 Rockview Street

Section 9-1. An extension of a non-conforming use requires a Board of Appeal hearing.

Section 14-1. Lot area for additional unit is insufficient.

3000 sf/du 2684 sf/du

Section 15-1. Floor area ratio is insufficient.

.5 .54

Section 18-1. Front yard is insufficient.

25 ft. 22 ft.

Section 23-3. Off street parking is insufficient.

16 spaces 0

69 Rockview Street & 40 Parley Avenue

Section 8-7. Ancillary use is conditional in an R-.5 district.

Section 18-1. Front yard is insufficient. 25 ft. 5 ft.

Section 19-1. Side yard is insufficient. 10 ft. 5 ft.

Section 20-1. Rear yard is insufficient. 40 ft. 0

The property contains a two story nursing home (91 beds), two 2½ story frame residential structures on Rockview Street and approximately one-half an acre of vacant land on Parley Avenue. The frame structures would be demolished for the proposed extension which would include 29 beds, a chapel, dining, recreation, and therapy rooms. Fifty two (52) off-street parking spaces would be supplied directly opposite the facility on the Parley Avenue land. The following provisos are recommended: that there be no reduction in the proposed 52 off-street parking facilities; that curb parking in front of the facility be eliminated; that the parking lot lighting be so arranged as to shine downward and away from streets and residential properties; that all plans be submitted to the Authority for design review; that the facility be issued a Certificate of Need by the Commonwealth. Recommend approval with provisos.



Board of Appeal Referrals 3/1/73  
Z-2697-2701

VOTED: That in connection with Petitions Nos. Z-2697-2701, brought by Estate of James G. Martin, 60-62-69-70 Rockview Street and 40 Parley Avenue, Jamaica Plain, for an extension of a non-conforming use, two conditional uses and ten variances to combine lots, erect a two story addition to a nursing home and use premises for off-street parking in residential (R-.5 and R-.8) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that there be no reduction in the proposed 52 off-street parking facilities; that curb parking in front of the facility be eliminated; that the parking lot lighting be so arranged as to shine downward and away from streets and residential properties; that all plans be submitted to the Authority for design review; that the facility be issued a Certificate of Need by the Commonwealth.



Z-2697-2701  
60-62-69-70 ROCKVIEW ST.  
40 PARLEY AVE.  
(J.P.)

